

**ASSEMBLY BILL**

**No. 2590**

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**Introduced by Assembly Member Cooley**

February 21, 2014

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An act relating to prisons.

LEGISLATIVE COUNSEL'S DIGEST

AB 2590, as introduced, Cooley. State prisons and county jails: realignment.

Under existing law, certain specified felonies are punishable by imprisonment in a county jail for 16 months, or 2 or 3 years or, where the term is specified, for the term described in the underlying offense. Notwithstanding these provisions, existing law requires that a sentence be served in state prison where the defendant has a prior or current conviction for a serious or violent felony, has a prior felony conviction in another jurisdiction that has all of the elements of a serious or violent felony, is required to register as a sex offender, or has an aggravated white collar crime enhancement imposed as part of the sentence.

Existing law requires that all persons released from prison after serving a prison term for a felony be subject to postrelease community supervision provided by a county agency for a period of 3 years immediately following release, except for persons released after serving a term for a serious felony, a violent felony, an offense for which the person was sentenced pursuant to the 3 strikes law, a crime where the person is classified as a high-risk sex offender, or a crime where the person is required to undergo treatment by the State Department of State Hospitals because the person has a severe mental disorder. Existing law requires these persons to be subject to parole supervision by the

Department of Corrections and Rehabilitation following release from state prison.

This bill would state the intent of the Legislature to enact legislation that would make specified changes to these provisions, including placing a 3-year limit on the time an offender could be sentenced to county jail and requiring all offenders released from state prison to be subject to parole supervision by the department.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. It is the intent of the Legislature to enact
- 2 legislation that would do all of the following:
- 3 (a) Place a three-year limit on the time an offender could be
- 4 sentenced to county jail.
- 5 (b) Retain current county obligations under the 2011 realignment
- 6 until 2019.
- 7 (c) Have offenders released from county jail subject to
- 8 postrelease community supervision, but require all offenders
- 9 released from state prison to be subject to parole supervision by
- 10 the Department of Corrections and Rehabilitation.
- 11 (d) Maintain the current realignment funding levels, but
- 12 reallocate all future growth money to the state.